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OFFICE OF PETITIONS

In re Application of
Andreas Stoehrman et al
Application No. 09/337,947
Filed: June 22, 1999
Attorney Docket No. 693

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed January 6, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to timely reply to the Non-final Office action mailed February 2, 2001, which set a shortened statutory period for reply of three (3) months. Accordingly, the above-identified application became abandoned on May 3, 2001.

The above-identified application has been abandoned for an extended period of time. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting the statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178; 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109) (applicant obligated under 37 CFR 10.18 to inquire into the underlying facts and circumstances when providing the statement required by 37 CFR 1.137(b) to the Patent and Trademark Office).

This application is being revived for the process claims only. Petitioner may not now file a continuing application for the method claims, since the invention to these claims has been abandoned.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

This matter is being referred to Technology Center AU 1734.

Karen Creasy

Karen Creasy
Petitions Examiner
Office of Petitions